

ID: CCA-818844-08

Number: **200907028**

Office:

Release Date: 2/13/2009

UILC: 6223.04-02

From:

Sent: Monday, August 18, 2008 8:44 AM

To:

Cc:

Subject: RE: Untimely Notice

Its too late for the taxpayer to make an election out of TEFRA. They had 45 days from the date we issued the FPAA to make the election. Treas. Reg. 301.6223(e)-2(d)(2). Their failure to do so renders the FPAA binding. The one year assessment date does not change. We are not required to issue an untimely notice letter. We only do so as a courtesy. Our failure to do so has no effect and does not extend the time for making an election.

[REDACTED]